



OFFICE OF THE
BOARD OF SELECTMEN
TOWN OF MAYNARD

MUNICIPAL BUILDING
195 MAIN STREET

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**Selectmen's
Meeting Minutes
Tuesday, May 20, 2014
Room 201, Town Hall
Time: 7:00 pm**

Present: Chair Brendon Chetwynd, Selectman David Gavin, Selectman William Cranshaw, Selectman Dawn Capello, Town Administrator Kevin Sweet, Assistant Town Administrator Andrew Scribner-MacLean and Admin. Assistant Becky Mosca.

(This public meeting was recorded).

Pledge of Allegiance

Public Comments – none

Minutes of May 7, 2014 and May 12, 2014 (Public Hearing, Finance Committee, ATM/STM)

A motion was made by Selectman Gavin to approve the minutes of May 7, 2014 as amended. Second by Selectman Capello. Vote 4-0. Motion approved.

A motion was made by Selectman Cranshaw to approve the minutes of May 12, 2014. Second by Selectman Gavin. Vote 4-0. Motion approved.

List of Correspondences (mail to the Selectmen's Office for May 20, 2014.

- Assessing Department, monthly report for April 2014.
- Finance Committee meeting notice, May 12, 2014
- Planning Board meeting notice, May 13, 2014
- Conservation Commission meeting notice, May 20, 2014
- Representative Kate Hogan's newsletter

A motion was made by Selectman Gavin to approve the list of correspondences as shown. Second by Selectman Capello. Vote 4-0. Motion approved.

Appointments to Council on Aging

The council does not currently have enough members to provide a quorum. **A motion was made** by Selectman Chetwynd to approve appointment for the following members, Rosalie Poittrast, Marilyn Hansen, Sally Muollo and Mary Jane Papon to the Council on Aging with a term expiring June 30, 2017. Second by Selectman Capello. Vote 4-0. Motion approved.

Abatement request, 8 Lindberg Street.

Operations Manager Chris Okafor has provided backup information requested by Board, but action delayed until later meeting since applicant was not notified for this meeting.

7:15 pm Public Hearing, Liquor License transfer, Main Street LLC. 48 Main Street**Legal Notice**

Notice is hereby given, in accordance with Mass General Laws, Chapter 138, as amended that a Public Hearing will be held on Tuesday, May 20, 2014 at 7:15 p.m. in the Michael J. Gianotis Meeting Room (No. 201) of the Maynard Town Building on application of transfer of an All Alcohol as a Retail Package Store license from Off License Enterprise, Inc. to Shri Swaminarayan Store LLC. d/b/a Main Street, Maynard, MA. A copy of the application is on file in the Municipal Services/Licensing Division office.

The applicant was present to discuss his plans for his new business. Question from Sel. Capello, regarding Pledge of Inventory and License, Attorney commented this was part of the bank requirements with Rockland Trust

A motion was made by Selectman Capello approve the transfer of an All Alcohol as a retail package store license, from Off License Enterprise, Inc. to Shri Swaminarayan Store LLC d/b/a Main Street Liquors at 48 Main Street with manager Dinesh K. Patel with pledge of License and Inventory to Rockland Trust and to BOS new manager must be TIPS trained within 60 days. Second by Selectman Gavin. Vote 4-0 Motion approved.

A motion was made by Sel. Capello to close hearing. Second by Sel. Gavin. Vote 4-0. Motion approved.

Comment from Sel. Gavin, Proud of this past business owner and new owners will have big shoes to fills.

Town of Maynard Watering Ban

DPW operation manager Chris Okafor presented a proposal for a watering ban. The proposal was consistent with the annual watering restrictions imposed by the state. Unlike recent prior years, no town-mandated odd/even restriction was proposed.

A motion was made by Selectman Cranshaw to approve the Maynard watering ban as of May 20, 2014, with restrictions consistent with state requirements. Second by Selectman Capello. Vote 4-0. Motion approved.

7:30 pm Public Hearing, Liquor License transfer of license and location, Capital Group Properties, LLC. 129 Parker Street.**Legal Notice**

Notice is hereby given, in accordance with Mass. General Laws, Chapter 138 as amended that a Public Hearing will be held on Tuesday, May 20, 2014 at 7:30 p.m. in the Michael J. Gianotis Meeting Room (No. 201) of the Maynard Town Building on the application of transfer of an All Alcohol as a Common Victualler license from Skylight LLC to Capital Group Properties, LLC. For future use at commercial/retail plaza being developed by applicant at 129 Parker Street, Maynard, MA. A copy of application is on file in the Municipal Services/Licensing Division office.

Question, Sel. Cranshaw, regarding the abutters list, why no one from opposite side of Parker Street received notice. TA Sweet indicated that, unlike abutter definitions in other town regulations, for the purposes of liquor license hearings those on the opposite side of the street are not considered abutters.

Sel. Gavin expressed concern that this request, unlike others in the past, lacks a specific location and details of the location. He also noted regulations restricting locations that are within 500 feet of a school. The applicant provided a concept plan for the site. However, it was determined that the plan provided was not the same as earlier concept plans and was inconsistent with the 40B application for the site. Sel. Chetwynd also noted that there is no site plan filed with the Planning Board for the property.

Sel. Cranshaw inquired about the number of licenses that would be beneficial to support the full development of the site. The applicant suggested 3 to 4 pouring licenses and a retail license.

Mr. Robert Anderson part owner of Skylight LLC, the current holder of the license, indicated that they had spent over \$20,000.00 to \$30,000.00 to clean up this license from other owner's issues. He noted that he is a long-time resident of Maynard and the family's commitment to Maynard through past contributions to the town, easements to the town for the rail trail, and maintaining the Paper Store in Maynard despite better financial options.

The hearing was opened for comments by the public.

- Mr. John Kulik, also reviewed Ch. 138 license, license is asset but, this license would abut school. Town should not move to fast.
- Nick Johnson, does not think this license should be transferred.
- Jim Morris, owner of Roasted Peppers, has a beer/wine license but would like an All Alcohol License.

Sel. Chetwynd voiced support for the application, noting that restaurants will undoubtedly be part of the Parker Street development and investment in that property is important to the community.

Sel Gavin agreed with the public comments, noted that there was a business looking for such a license and could put it to use immediately.

Sel. Capello voiced support for the application since it will provide economic development and we need to bring business to town now.

Sel. Cranshaw fully agrees that there will be restaurants for 129 Parker Street. His concern is that the license has been inactive for 18 months and would be inactive for at least another 18 months. The issue with this inactive license has already been discussed by the Board on two occasions.

A motion was made by Selectman Chetwynd to approve the transfer of an All Alcohol as a Common Victualler license to from Skylight LLC Waltham Street to Capital Group LLC for future use at commercial/retail plaza being developed by applicant at 129 Parker Street. Manager, William DePietri. Second by Selectman Cranshaw. Vote 2 - 2. Chetwynd and Capello in favor, Cranshaw and Gavin opposed. Motion denied.

A motion was made by Sel. Capello to close hearing. Second by Sel. Gavin. Vote 4-0. Motion approved.

Presentation: BETA Engineering, Pavement Management Program.

The presentation (attached) provided an overview and summary of findings to date. Initial evaluation includes only accepted roads. Similar work is ongoing for unaccepted roads. There is a current backlog of \$6 million for the 40 miles of accepted roads. The cost estimate does not include soft costs, such as design, and costs for anything (sidewalks, lightings, drainage) other than pavement. Annual need to maintain current system wide average condition (fair) is \$0.32 million. This exceeds Chapter 90 funding.

Water & Sewer Rules and Regulations

DPW Operations Manager Chris Okafor presented for discussion a draft of proposed regulations for water and sewer connections and use. Among the issues discussed were defining all terms, providing adequate timeline for abatements and a maximum timeline for retroactive billing, and ensuring that town facilities were in compliance with regards to sprinkler regulations. He will provide to the Board examples of uses that meet the thresholds specified for water and sewer impact reports, and will report on costs required to upgrade the sprinkler systems on town fields.

Several new fees and increases of existing fees were proposed. These included a 5% surcharge on all water and sewer bills. The Board requested further analysis to support the recommendations. The next draft of the regulations will be reviewed by Town Counsel prior to being submitted to the Board. The Board will consider later how to solicit public comments on the proposed regulations and fees.

Town Hall Operating Hours

ATA Scribner-MacLean presented feedback from residents collected during the past few months. 91 % appreciate the hours. A few customers did not know the hours for Town Hall. Sel. Gavin, why did we pick Tuesday nights and not Wednesday or Thursday night? TA, K. Sweet, it made sense to pick Tuesday night, most boards and committees have meetings on Tuesday night and the Building Commissioner works late hours on Tuesday night. Sel. Cranshaw, why the difference in hours, some at 40 others at 37.5? TA, K. Sweet the difference is in the contracts, lunch and break schedules. Sel. Cranshaw asked about options for additional extended hours. ATA Scribner-MacLean said there is not enough staff to provide adequate coverage but that we might be able to do something later if we can do some cross training with a couple of departments for backup workloads.

A motion was made by Sel. Capello to make permanent the current hours of the town building. Second by Sel. Gavin. Vote 4-0. Motion denied.

Report of the Chair: Update on the Charter, once it is approved by the AG's office the Town will need to have an election on the charter vote.

Old/New Business

Selectman Gavin:

- Thank you, TA, K. Sweet for getting the DPW to work at the cemetery and clean near the road/fence area. It looks better already.

Selectman Capello:

- Observation of some Street signs in town, they need to be adjusted. They look bad.
- Board members want to keep a call in line to have items serviced or repaired.
- Request update on the Parking Deck. TA, K. Sweet gave board update on the work in process. Electrical work, some cement work once set the next phase would be the new pavement.

Selectman Cranshaw

- Comment, we never give enough respect to the Andersons. For the CVS project they provided money to the town for upgrading the Nason/Main traffic signal. We need to complete those items that the money was gifted for.
- What is the next action on getting more liquor licenses for the Town? TA, we need to have this as an action item on agenda. Then it needs to be article on warrant. Then it goes in under a home rule to the state.

A motion to adjourn the meeting was made by Selectman Gavin. Second by Selectman Capello. Vote 4-0. Motion approved.

Time: 10:35 pm

Approved: 6/17/14

Date:

David Gavin

Selectman, David Gavin, Clerk

Initials: BJM